

**REMARKS/ARGUMENTS**

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

Claims 1-18 remain pending. Claims 1, 8, 9 and 12 are independent.

Applicant appreciates that claims 1-8 and 12-18 are indicated to be allowable. Applicant also appreciates that claim 10 is indicated to define allowable subject matter.

Status of claim 11 is unclear since there is no explicit comments are provided regarding the claim in the Office Action. Applicant would appreciate an explicit indication of whether claim 11 stands rejected or defines allowable subject matter.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Schwarz et al. (U.S. Publication No. 2007/0264994, *hereinafter Schwarz*) in view of Lucidarme et al. (U.S. Patent No. 7,123,910, *hereinafter Lucidarme*).

In this Amendment, claim 9 is amended to recite “means for retrieving information, from an information element within an information message received from the first cellular mobile communication network, about the availability status of at least a range of services that are provided by said first communication network.” *Underlined part added in this Amendment.*

The amendment does not raise any new issues. Rather, it harmonizes claim 9 (directed to a user equipment in a first cellular mobile communication network) with claim 1 (directed to a first cellular mobile communication

network providing communication services to one or more user equipments).

As noted above, claim 1 is allowable.

Applicant's traversal arguments made with respect to claim 1 in the Amendment submitted on April 7, 2011 also apply with respect to claim 9. That is, claim 9 is patentability distinct from the combination of Schwarz and Lucidarme. It is admitted in the Office Action that Schwarz does not teach or suggest all features of claim 9 including the "range of services" feature. Contrary to the allegation made, Lucidarme does not correct this deficiency.

Lucidarme is directed toward allowing a change of radio access technology (RAT) even between uncoordinated radio access networks. Lucidarme notes that handovers of a mobile terminal between two systems operating in different radio access technologies (RAT), e.g., UMTS and GSM, require close co-operation between the two systems. Each system is subject to change, such as changing cell sizes, cell frequency allocations, number of cells. This information is communicated from one system to another via the Operation & Maintenance System (OMS). Two systems in which system information is exchanged between the relevant OMS are referred to as "coordinated systems". Lucidarme also notes that such level of co-ordination becomes increasingly difficult to implement as the number of alternative systems increases. Lucidarme addresses this issue by allowing handovers between uncoordinated systems. *Lucidarme, c.3, ll.29-31.*

In the Office Action, *c.8, ll.10-64* of Lucidarme is mistakenly relied upon to allege that the "range of services" feature is shown. The relied upon portion

describes a handover of a mobile terminal 10 from a UMTS network 20 to another network 30 (HIPERLAN), 40 (Bluetooth) or 44 (LAN). *Lucidarme, Fig. 6.* The process begins when the mobile terminal 10 makes a service request to the UMTS network 20, e.g., for a certain Quality of Service requirement. The request, which may be sent with a Radio Resource Control (RRC) connection request, is received by the RNC 22. The RNC 22 examines the request to see if it involves a packet switched service to be routed via the SGSN 74 or a circuit switched service to be routed via the MSC 78. In the case of a packet switched service, the RNC 22 requests a radio resource from the SGSN 74, i.e., makes a request for a Radio Access Bearer (RAB). *Lucidarme, c.8, ll.10-44.*

To assess an optimized access network for this service, the RNC 22 requires measurement information from the mobile terminal 10. The measurement report includes measurement values of radio networks which are in receiving range of the mobile terminal 10. The mobile terminal 10 scans to detect and measure available radio sources and reports the results to the RNC 22. *Lucidarme, c.8, ll.45-64.*

When the RNC 22 has received the service request, the measurement report and the RAB assignment from the SGSN 74, it decides which service is best suited to provide the service with the required QoS including whether or not the service would be better provided by another network, in which case the RNC 22 initiates a handover. The RNC 22 then sends a message instructing the SGSN 74 that a RAB relocation to another network is required, and also instructs the mobile terminal 10 to which network the mobile terminal 10 will

be handed over. The mobile terminal 10 then synchronizes with the new network. *Lucidarme, c.10, ll.10-44.*

In *Lucidarme*, the RNC 22 merely instructs the mobile terminal to provide it with measurement reports of signals other networks, and informs the mobile terminal whether a handover should be performed in the event that the requested service is determined to be better handled by a different network. Nothing in *Lucidarme* even remotely suggests that the RNC 22 provides availability information on “a range of services” as claimed. This directly contradicts the allegation made in the Office Action.

Since neither *Schwarz* nor *Lucidarme* teaches or suggests the above-recited feature, the combination of *Schwarz* and *Lucidarme* also fails. This is sufficient to distinguish claim 9 from *Schwarz* and *Lucidarme*. By virtue of its dependency from claim 9 as well as on its own merits, claim 11 is also distinguishable over *Schwarz* and *Lucidarme*. Applicant respectfully requests that the rejection of claim(s) based on *Schwarz* and *Lucidarme* be withdrawn.

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee is attached hereto.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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